

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR 1993-008378

08/26/2008

HON. GARY E. DONAHOE

CLERK OF THE COURT
S. Yoder
Deputy

STATE OF ARIZONA

WILLIAM W CLAYTON
KIRSTEN VALENZUELA

v.

EFREN MEDINA (A)

DANIEL B PATTERSON
ALAN ISSA TAVASSOLI

CAPITAL CASE MANAGER
VICTIM SERVICES DIV-CA-CCC

TRIAL MINUTE ENTRY
DAY 10

LET THE RECORD REFLECT that the qualified jurors are present on the floor and waiting in another courtroom. Counsel are present in the courtroom to exercise their peremptory strikes.

State's Attorney:	William W. Clayton and Kirsten Valenzuela
Defendant's Attorney:	Daniel B. Patterson and Alan I. Tavassoli
Defendant:	Present
Court Reporter:	Gail Ferguson

10:22 a.m. Jury selection continues from August 25, 2008.

The jury panel is not present.

Mr. Patterson makes a Batson challenge to the State's peremptory strike of Juror No. 35.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR 1993-008378

08/26/2008

Argument is presented.

The Court finds that the State has given a facially race-neutral reason for striking the juror, and Defendant has not carried his burden of proving purposeful discrimination. Accordingly,

IT IS HEREBY ORDERED denying the challenge to the State's peremptory strike of Juror No. 35.

10:29 a.m. Court stands at recess.

10:46 a.m. Court reconvenes with the Defendant and respective counsel present.

Court Reporter Gail Ferguson is present.

Mr. Patterson makes a Batson challenge to the State's peremptory strike of Juror No. 71.

Argument is presented.

The Court finds that the State has given a facially race-neutral reason for striking the juror, and Defendant has not carried his burden of proving purposeful discrimination. Accordingly,

IT IS HEREBY ORDERED denying the challenge to the State's peremptory strike of Juror No. 71.

10:50 a.m. Court stands at recess.

11:40 a.m. Court reconvenes with the Defendant and respective counsel present.

Court Reporter Gail Ferguson is present.

Mr. Patterson makes a Batson challenge to the State's peremptory strike of Juror No. 94. Discussion is held regarding whether the juror meets the threshold for inquiry on whether she qualifies for Batson scrutiny.

Argument is presented.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR 1993-008378

08/26/2008

The Court finds that the State has given a facially race-neutral reason for striking the juror, and Defendant has not carried his burden of proving purposeful discrimination. Accordingly,

IT IS HEREBY ORDERED denying the challenge to the State's peremptory strike of Juror No. 94.

11:47 a.m. Court stands at recess.

11:54 a.m. Court reconvenes with the Defendant and respective counsel present.

Court Reporter Gail Ferguson is present.

Mr. Patterson makes a Batson challenge to the State's peremptory strike of Juror No. 73 and alleges an emerging pattern of peremptory strikes based on race.

Argument is presented.

The Court finds that the State has given a facially race-neutral reason for striking the juror, and Defendant has not carried his burden of proving purposeful discrimination. Accordingly,

IT IS HEREBY ORDERED denying the challenge to the State's peremptory strike of Juror No. 73.

12:05 p.m. Court stands at recess.

1:37 p.m. Court reconvenes with the Defendant and respective counsel present.

Court Reporter Gail Ferguson is present.

Trial jurors are empanelled and sworn.

FILED: Jury List.

The Court reads the admonition to the jury.

1:52 p.m. The jury is excused for the evening.

Procedural issues are discussed.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR 1993-008378

08/26/2008

The Court is advised that Juror Nos. 2 and 5 recognize each other from a class taken at community college. The jurors are interviewed individually; each states that the presence of the other will not affect his ability to be fair and impartial.

Counsel make statements for the record regarding the ethnic and racial composition of the jury.

1:58 p.m. Court stands at recess until September 10, 2008 at 10:30 a.m.